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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

VISTA FOOD EXCHANGE, INC.,

Plaintiff,

-against-

LAWSON FOODS LLC,

Defendant.

Case No. 1:17-cv-07454 (ALC) (SN)

**NOTICE OF MOTION FOR SANCTIONS
PURSUANT TO FED. R. CIV. P. 11**

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law in Support of Defendant's Motion for Sanctions Pursuant to Fed. R. Civ. P. 11 dated April 20, 2018, the Declaration of Simon Law dated March 28, 2018, the Declaration of Isabelle George Rosett dated March 28, 2018, the Declaration of Michael B. Smith dated March 29, 2018, and all prior pleadings and proceedings had herein, defendant Lawson Foods LLC ("Lawson"), through its undersigned attorneys, will move this Court, before the Honorable Andrew L. Carter, Jr., at the United States Courthouse, 40 Foley Square, New York, NY 10007, Courtroom 1306, on a date to be set by the Court, for an order:

1. dismissing Vista's claims in their entirety, with prejudice;

2. directing Plaintiff Vista Food Exchange, Inc. and its counsel to pay Lawson's reasonable costs and fees incurred in defending this action, including in connection with this motion; and
3. such other and further relief as this Court deems reasonable and just under the circumstances.

By Order of the Court dated April 3, 2018, Plaintiff shall file its opposition to this motion by May 4, 2018 and Defendant shall file a reply in furtherance of this motion, if any, by May 11, 2018.

Dated: New York, New York
April 20, 2018

LUPKIN PLLC

By: /s/ Michael B. Smith
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